



Planning and Community Development
Strategic and Transportation Planning Division
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November 21, 2014

Christopher Chafee, Senior Counsel
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Chafee:

The City of Santa Monica appreciates this opportunity to provide comments in response to OPR's *Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743*. The City is generally in support of OPR's Draft Guidelines requiring projects to utilize vehicle miles traveled (VMT) as a replacement metric for level of service (LOS) in the context of CEQA. Santa Monica strongly supports and invests in transportation for everyone, including transit riders, cyclists, pedestrians, and motorists. OPR's proposed use of VMT for CEQA transportation analysis is generally aligned with the City's Land Use and Circulation Element's multi-modal emphasis on balanced, integrated land use-transportation planning.

However, the City has several concerns with OPR's Draft of Updates for your consideration:

- Suggested Significance Thresholds for VMT Analysis: SB743 did not authorize OPR to establish thresholds, but instead directed OPR to develop guidelines "*for determining the significance of transportation impacts of projects*". Accordingly, OPR provides a list of recommended criteria for determining VMT significance within Section 15064.3 of the CEQA Guidelines. By virtue of its placement within the Guidelines Section, the City is concerned that these criteria could be strictly interpreted as adopted criteria, rather than as recommended guidance criteria. The City suggests that the recommended significance criteria be contained within the appendix of the CEQA Guidelines, similar to the recommended mitigation measures.
- Regional Average VMT Threshold: OPR's recommendation that a project would have a less than significant impact if it will generate VMT that is less than regional average for its land use type is a concern. In built-out areas, such as the City of Santa Monica, it can be expected that many, if not almost all, projects will result in VMT that is less than the regional average. The regional average VMT does not take into account the variations in land use patterns and densities that exist in many cities throughout the region. As such, the regional VMT number can be greatly skewed by the high VMT of suburban cities, and therefore, would not be an appropriate significance threshold for the City of Santa Monica.
- Major Transit Stop: The City is concerned with the broad applicability of OPR's recommendation that a project would have a less than significant impact if it is located within ½ mile of either an existing major transit stop or a stop along an existing high quality transit corridor. Based on SCAG's interpretation of "major transit stop", nearly the entire City of Santa Monica is classified as located within ½ mile of a major transit stop. OPR's suggested threshold would have far-reaching CEQA

implications for the City – any project, no matter its size (70,000 sf or 700,000 sf), would be deemed to have a less than significant transportation impact.

The City also recommends further clarification of the definition of “a major transit stop”. Public Resources Code Section 21064.3 defines major stop as “a rail transit station, a ferry terminal served by either a bus or a rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods”. This language, however, does not provide clarity as to the definition of “intersection of two or more major bus routes”. For example, does the “intersection” apply to a bus stop with two different, but parallel bus routes (i.e., both routing in the same general direction)? What bus lines should be classified as “major” and should this classification be based on ridership levels? Furthermore, how are morning and afternoon peak commute periods to be defined? Various agencies, including SCAG and transit agencies, classify their peak commute periods differently.

- Local Safety Impacts: OPR’s Draft of Updates identifies examples of “*objective*” factors that may be used to determine significance of local safety impacts, including exposure of bicyclists and pedestrians in vehicle conflict areas, queuing on freeway off-ramps, speed differentials of greater than 15 mph, increased motor speeds, or increased distance between pedestrian or bicycle crossings. The City does not believe that “*queuing on freeway off-ramps where queues extend onto the mainline*” is an objective factor for assessing local safety impacts. In the congested Los Angeles metropolitan region, queuing on freeway off-ramps is a common occurrence that does not necessarily result in safety impacts. If queuing on freeway off-ramps is perceived as a safety impact, then any project generating a trip on freeways could be deemed to have a significant safety impact. As with LOS, queuing is a measure of the time a motorist must wait to cross through an intersection and it is not clear as to how this factor relates to public safety. Similarly, the City disagrees with the use of “*speed differentials of greater than 15 miles per hour between adjacent lanes*” as a factor in determining safety impact. A number of intersections in the City will have speed differentials greater than 15 mph between adjacent lanes due to turning movements and restrictions (e.g., right turn lanes, unprotected left turns) as well as typical congestion. This speed differential does not necessarily result in safety impacts. In fact, the opposite may be true, as motorists may be waiting and/or slowed to allow for pedestrians and bicyclists to cross. The City therefore, recommends that OPR remove the references to the “objective factors” for determining local safety impacts, and allow such determination be made by the lead agency based on a review of project site plans and surrounding transportation environment.
- Effective Date of Guidelines: OPR’s *Draft of Updates* indicates that upon adoption, the new CEQA Guidelines shall apply to all transit priority areas. However, the City requests that additional time be provided for lead agencies to implement the forthcoming CEQA Updates. The transition from LOS to VMT will require public outreach and education, as well as a public hearing process for the City to adopt appropriate CEQA significance thresholds. This process is anticipated to take several months at minimum. Additionally, it is unknown at this time what data gaps need to be addressed in order to perform the new VMT analysis for projects. A grace period of 12 months from issuance of the final guidelines would allow cities to prepare and inform their communities of locally adopted significance thresholds.

If you have further questions regarding this letter, please contact Rachel Kwok or Beth Rolandson at (310) 458-8341.

Sincerely,



Francie Stefan
Strategic and Transportation Planning Manager